1944

File No. T.D Bel. 44

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Examined

Legal Department

E Branch

P10E

Subject :- Trust Deed

Building Grant:-

to District Local Board,

Kannada Boy's School

at Sangolli,

District Belgaum.

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File No:- T.D. Bel. 44

85 E.
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SSF 19/1.

Registered

No. S-42(d)-749-D.

Poona, 18 January, 1941.

From

The Director of Public Instruction,
Province of Bombay, Poona.

To

The Solicitor to Government,
Legal Department, Secretariat, Bombay.

Subject:- Building grant to District Local Board, Kannada Boys' School at Sangolli, District: Belgaum.

Sir,

I have the honour to send the papers specified in the margin in support of the District Local Board Belgaum's title to the site of the School at Sangolli and to request that you will be good enough to let me know whether the title of the District Local Board, Belgaum to site of the school in question can be treated as good and in order for the purposes of a grant-in-aid.

* 1. Site-plan in original
* 2. Agreement in original
@ 3. Copy of Para. 4 of letter No. 15/-10033 dated 13th December, 1943, fro the Educational Inspector, Southern Division.

* - To be returned please.

@ Typed on the reverse.

Your obedient servant,

for Director of Public Instruction.

THE SOLICITOR IN LEGAL DEPARTMENT
Bombay
99
1911

SMX.15/

Copy of para 4 of letter No. 16/B-10033 dated 13th December, 1943, from the Educational Inspector, S.D.

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"4. The Local Authority has not produced any documentary evidence to prove its title to the site and states that the school is being held in the present building from 25-6-1383 and the title is good on account of its long possession. The Local Authority has, however, submitted an agreement, under Rule 5(b) of the building grant rules duly executed by the President and two members of the District Local Board, Belgaum and it is enclosed for favour of perusal and approval."

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Submitted.

Please read the letter from D.E.I. at p.1 ante. The D.E.I. has forwarded to the Dolr. to Govt. certain papers in support of the title of the D.L.B., Belgaum to the site of the Kannada Boys School at Sangolli in Belgaum Dist. and requested the Dolr. to let him know whether the title of the D.L.B., Belgaum to the site of the school in question is good and in order for the purposes of Grant-in-aid.

Rule 5(b) of the Building grant rules provides that in cases where the managers have no documentary evidence to prove the title to the sites on which the school buildings owned by them stand, an undertaking should be taken from them that they shall refund to the Govt. the whole amount of the building grant if they are at any time declared by a civil court or by the Collector under sub-section (2) of section 37 of the B.L.R. Code, 1879 to be not in lawful occupation of the said site.

The D.L.B., Blegaum, has no documentary evidence to prove its title to the site of the school in question. However, the President and two members of the D.L.B.Belgaum have executed an undertaking as required by rule 5(b) of the Building grant rules. The description of the site as given in the undertaking is in accordance with the description given in the plan.

3 From the copy of para.4 of the letter from the Addl. Inspector, S.D. at p.2 ante it appears that the Kannada Boys School is being held in the present building since 1883. The D.L.B., Belgaum is thus in uninterrupted and continuous occupation of the school building for over sixty years.

4 Since the school building is in the possession of the D.L.B., Belgaum for a continuous period of sixty years and as the President and the members of the D.L.B., Belgaum have executed an undertaking as required by rule 5(b) of the Building grant rules, ~~there can be no objection to~~ the

title of the D.L.B. Belgaum to the site of the Boys School at Carnoll~~i~~ may be treated as good and in order for the purpose of a grant-in-aid.

MGP
20/1
Sd/- GVP 20/1.

Letter. No. 511 5-5

Legal Department,
Bombay Castle, 20th January 1944.

To

The Director of Public Instruction,
Poona.

Subject:-Building grant to District Local Board, Kannada Boys' School at Sangolli, District Belgaum.

With reference to your letter No.S-42(d)-749-D., dated 18th January 1944, I have the honour to state that the title of the District Local Board, Belgaum to the site of the school in question is good and in order for the purposes of a grant-in-aid.

2. The papers received with your letter under reference are returned herewith.

Submitted for signature
MGP
20/1 SOS 19/1 20/1

Solicitor to Government.

T. D. Belgaum-14
21-1-

BSV 25/5

Registered

7 7

No.S-42(d)-666-D.
Poona 24 May, 1944.

THE SOLICITOR TO GOVERNMENT
IN LEGAL DEPARTMENT
File No. 666
Enc No. 26/5
BOMBAY

From

The Director of Public Instruction,
Poona.

To

The Solicitor to Government,
Legal Department, Secretariat, Bombay.

Subject:- Building Grant for the District Local Board, Primary School at Yadgud, Taluka Hukeri, District Belgaum.

Sir,

I have the honour to forward herewith the papers *noted in the margin in support of the title of the Distrrict Local Board, Belgaum, to the site of the school at Yadgud, Taluka Hukeri, and to request that you will be good enough to let me know whether the title of the District Local Board, Belgaum, to the site of the school in question is good and in order for the purposes of grant-in-aid.

*To be returned please.

(1). Site-Plan.
(2). Copy of letter No. 9991 of 21/12/1943 from the President, District Local Board, Belgaum.
(3). Copy of No. 603 of 19/4/1944, from the President, District Local Board, Belgaum (vide also copy of the Rule 5 (b) of the Building Grant Rules of Schedule 'D' to the Primary Education Rules).

Your obedient servant,

for Director of Public Instruction.

Rj.22/5.

RINO 666
26/5/44

Submitted

2. Please see the letter from D.P.I, Poona at P.1.

3. The D.P.I. has forwarded certain papers in support of the title of the D.L.B, Belgaum to the site of the D.L.B. Primary School at Yadgud and has requested the Solr to Govt to let him know whether the title of the D.L.B, Belgaum to the site of the school in question is good and in order for the purpose of a grant-in-aid

4. There is no documentary evidence to support the title of the D.L.B. Belgaum to the site of the school in question. From the copy of the letter from the chairman Dist School Board, to the President D.L.B, Belgaum, it appears that there is nothing either on the records of the D.S.B Office or on the records of the Dist Engineer L.B. Belgaum, to show whether the school building under reference is owned by the D.L.B, Belgaum or given to the Board as a gift for the purposes of the school. However the head master of the Primary School has reported that the school has been started on 1-2-1892 and since then, it is being held in the present building.

5. Rule 5(b) of the Building Grant Rules provides that in cases where the Managers have no documentary evidence to prove the title to the sites on which the school Buildings owned by them stand, an undertaking should be taken from them, that they shall refund to Govt, the whole amount of the Building grant if they are at any time declared by a Civil Court or by the Collector under Sub-section (2) of section 37 of the Bombay Land Revenue Code 1879, to be not in lawful occupation of the said sites.

6. From the letter of the President of the D.L.B, Belgaum at P.3 it appears that the Local Authority is willing to execute an undertaking as required by Rule 5(b) of the B.G Rules.

7. Since the D.L.B, Belgaum is in possession of the school-site for over 60 years and as the local Authority is willing to ~~execute~~ execute an undertaking as required by Rule 5(6) of the B.G. Rules, the Title of the D.L.B. Belgaum to the site of the school in question may be ~~treated~~ treated as good and in order for the purposes of a grant-in-aid. [But the Building grant should not be paid to the D.L.B, Belgaum unless and until the D.L.B has executed the necessary undertaking.]

MGP
27/5

SOL ~~ASV~~ 29/5

Letter.

13

No. 3890 L

Legal Department,
Bombay Castle, 30th May 1944.

To

The Director of Public Instruction,
Poona.

Subject: Building grant for the District Local Board, Primary School at Yadgud, Taluka Hukeri, Dist. Belgaum.

With reference to your letter No.S-42(d)-666-D dated 24th May 1944, I have the honour to state that the title of the District Local Board, Belgaum to the site of the school in question is good and and in order for the purpose of a grant-in-aid, presuming that there are no encumbrances thereon

2. The papers received with your letter under reference are returned herewith.

Issued CSP 30/5

Submitted for signature MGP 30.5

k-1. Encl:

BSV 30/5
oc Solicitor to Government.

14

Submitted after issue
file in T.D Belgium/44
MGP
3/6
Sd. 3/6

T.D. Belgium/44
3/6/44